

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

BETH GRABER	:	
<i>ON BEHALF OF HERSELF AND OTHERS</i>	:	
<i>SIMILARLY SITUATED,</i>	:	
	:	CIVIL ACTION
v.	:	
	:	NO. 21-3313
WESTFIELD INSURANCE COMPANY	:	

**ORDER**

**AND NOW**, this 23rd day of August, 2024, upon consideration of Defendant Westfield Insurance Company's Motion (I) to Dismiss Plaintiff's First Amended Complaint, and (II) in the Alternative, to Strike Class Allegations (ECF No. 12), and all materials submitted in support thereof and in opposition thereto, it is **ORDERED** that the Motion is **GRANTED**. Plaintiff's claims are **DISMISSED *without prejudice***. Plaintiff may file a second amended complaint within forty-five (45) days of this Order.

**IT IS SO ORDERED.**

**BY THE COURT:**

*R. Barclay Surrick*  
**R. BARCLAY SURRICK, J.**